

(components] are free of sprayed-on nonionic alkoxylated alcohol surfactants.

CLEAN COPY OF SUBSTITUTED CLAIM 7

7.(Twice Amended) A composition according to claim 1 wherein an effervescent system is present.

VERSION OF CLAIM 7 WITH MARKINGS TO SHOW CHANGES MADE

7.(Twice Amended) A composition according to claim 1 wherein an [effervesce] effervescent system is present.

CLEAN COPY OF SUBSTITUTED CLAIM 8

8. (Twice Amended) A composition according to claim 1 in granular form or in the form of a tablet.

VERSION OF CLAIM 8 WITH MARKINGS TO SHOW CHANGES MADE

8. (Twice Amended) A composition according to claim 1 in granular form or [on] in the form of a tablet.

REMARKS

Claim 10 is cancelled herewith without prejudice. Claims 1 - 9 remain in the instant application. Claim 1 has been amended to provide that the detergent composition is phosphate-free. Support for this amendment is found on page 1, line 15 of the instant specification. Claims 3, 6, 7, and 8 have been amended in accordance with the Examiner's suggestions as discussed below in order to overcome informalities.

Claim Objections

The Examiner objects to Claims 3, 6, 7, and 8 on the basis of the following informalities: In line 2 of Claim 3, "an" should be replaced with "a". In line 2 of Claim 6, the words "components are" should be deleted. In Claim 7, "effervescent" is misspelled. In Claim 8, "on" should be replaced with "in". The changes suggested by the Examiner have been made. Applicants respectfully request that the Examiner reconsider and withdraw these Claim objections.

Rejections Under 35 U.S.C. §112, second paragraph:

The Examiner rejects Claims 1, 5, and 10 under 35 U.S.C. §112, second paragraph. With regard to Claim 1, it is the Examiner's position that Claim 1 is confusing because the value of M is from 0 to 0.7. The Examiner indicates that the minimum value of M that is possible is 0.05 since both components must be present in amounts of at least 5%.

Applicants respectfully disagree with the Examiner's position. It is possible for the value of M to be 0. One non-limiting example would be a scenario wherein there are 2 components. Assume for sake of the example that the level of aluminosilicate in component 1 is 0 and the level of aluminosilicate in component 2 is 5%. Assume further for the sake of this non-limiting example

that the level of anionic surfactant in component 1 is 5% and the level of anionic surfactant in component 2 is 0%. The degree of mixing (M) under this example would be 0 as follows:

$$\sum_{i=1}^n \sqrt{(\sigma_i \cdot \zeta_i)}$$

Example:

n=2.

$\sigma_1 = 0.05$, $\zeta_1 = 0$

$\sigma_2 = 0$, $\zeta_2 = 0.05$

$\sqrt{(0.05 \times 0)} + (0 \times 0.05) = 0$

M= 0

Hence, as the Examiner's rejection of Claim 1 under 35 U.S.C. §112 has been overcome, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

The Examiner rejects Claim 5 under 35 U.S.C. §112 on the basis that "aluminosilicate is not comprised in the components". Applicants respectfully disagree with the Examiner's position. It is not clear to Applicants why this is confusing. Applicants respectfully ask the Examiner to clarify his position

The Examiner rejects Claim 10 under 35 U.S.C. §112, second paragraph. Claim 10 is cancelled hereunder without prejudice. Hence, the Examiner's rejection of Claim 10 is moot.

35 U.S.C. § 102(b) Rejections

The Examiner rejects Claims 1 - 2 and 4 - 6 under 35 U.S.C. §102(b) as being unpatentable over Sai et al. U.S. 4,208,295. It is the Examiner's view that Sai et al. teaches a bleaching detergent composition comprising 5% sodium alkyl sulfate and 15% sodium aluminosilicate. The Examiner further asserts that "M = 0.19".

The Examiner rejects Claims 1 - 2 and 4 - 6 under 35 U.S.C. §102(b) as being unpatentable over Boyer et al. U.S. 4,265,777. It is the Examiner's view that Boyer et al. teaches an aluminosilicate detergent composition wherein "M = 0.18".

The Examiner rejects Claims 1 - 2, and 4 - 6 under 35 U.S.C. §102(b) as being unpatentable over Nicol U.S. 4,125,370. It is the Examiner's view that Nicol teaches a laundry detergent composition wherein "M = 0.16".

The Examiner rejects Claims 1 - 2, and 4 - 6 under 35 U.S.C. §102(b) as being unpatentable over Fleming et al. U.S. 4,000,094. It is the Examiner's view that Fleming et al. teaches a spray-dried detergent composition wherein "M = 0.32".

The Examiner rejects Claims 1 - 2, and 4 - 6 under 35 U.S.C. §102(b) as being unpatentable over Taylor U.S. 4,243,544. It is the Examiner's view that Taylor teaches a spray-dried detergent composition wherein "M = 0.11".

The Examiner rejects Claims 1 - 2, and 4 - 6 under 35 U.S.C. §102(b) as being unpatentable over Llendado U.S. 4,303,556. It is the Examiner's view that Llendado teaches a detergent composition wherein " $M = 0.21$ ".

The Examiner rejects Claims 1 - 2, and 4 - 6 under 35 U.S.C. §102(b) as being unpatentable over Davey et al. U.S. 4,123,377. It is the Examiner's view that Davey et al. teaches a detergent composition containing bleaching agents wherein " $M = 0.16$ ".

The Examiner rejects Claims 1 - 3, 6, and 9 under 35 U.S.C. §102(b) as being unpatentable over Harris et al. U.S. 4,321,157. It is the Examiner's view that Harris et al. teaches a granular laundry detergent composition wherein " $M = 0.10$ ".

The Examiner rejects Claims 1 - 2, and 5 - 6 under 35 U.S.C. §102(b) as being unpatentable over Cheng 4,414,130. It is the Examiner's view that Cheng teaches a readily disintegrable agglomerate detergent composition wherein " $M = 0.10$ ".

Applicants respectfully disagree with the Examiner's position. Applicants' invention as amended relates to how aluminosilicate builder and anionic surfactant are distributed over at least two components of a phosphate-free detergent composition.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. § 2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." M.P.E.P. § 2131 citing *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

With regard to all the references cited by the Examiner, it is not clear how the Examiner calculated " M ". Applicants respectfully request the Examiner to clarify his calculation. Furthermore, with regard to Sai et al., Boyer et al., Nicol, Fleming et al., Taylor, Llendado, Davey et al., and Cheng of, none of these references teach or suggest either expressly or inherently a composition having at least 2 components. Yet further, because none of these teach a composition having at least 2 components, an M value cannot be calculated for these references. Hence, Applicants respectfully request the Examiner to reconsider and withdraw the U.S.C. §102(b) rejection over these references.

With regard to Harris et al., this reference does not teach or suggest a composition having at least 2 components which is phosphate-free. Example IX of Harris et al. requires in addition to zeolite and surfactant, the addition of sodium tripolyphosphate. Thus, Harris et al. does not anticipate amended Claims 1 - 3, 6, or 9.

Hence, as the Examiner's rejection under 35 U.S.C. §102(b) has been overcome, Applicants request the Examiner to reconsider and withdraw this rejection and allow the claims remaining in the instant application.

35 U.S.C. § 103(a) Rejections

The Examiner rejects Claims 1, 2 and 4 - 9 under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. '130. It is the Examiner's view that it would have been obvious to include an effervescent system in the composition of Cheng et al. and so render the claims at hand obvious.

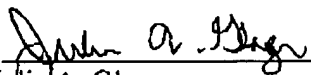
Applicants respectfully disagree with the Examiner. In order to sustain an obviousness rejection, "the prior art reference (or references when combined) must teach or suggest all the claim limitations." M.P.E.P. 2143. As discussed above, Cheng et al. does not teach either expressly or impliedly a detergent composition having at least 2 components as claimed by Applicants.

Hence, as the Examiner's rejection under 35 U.S.C. §103(a) has been overcome, Applicants respectfully request the Examiner to reconsider and withdraw this rejection and allow the claims of the instant application.

SUMMARY

The Examiner's objections and rejections of the instant application under 35 U.S.C. §112, 35 U.S.C. §102(a), and 35 U.S.C. §103 have been overcome. The Examiner is respectfully requested to reconsider and withdraw these objections and rejections and allow the claims in the instant application. No new matter is added.

Respectfully submitted,
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